
United States District Court

EASTERN DISTRICT OF TEXAS
TYLER DIVISION

JAMON HESTAND,

Plaintiff,

v.

TEXAS DEPARTMENT OF
CRIMINAL JUSTICE, J. ENGE, AND,
B. NEAL,

Defendant.

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No. 6:20-CV-00071

Jury Trial Demanded

**PLAINTIFF JAMON HESTAND’S MOTION FOR EXTENSION OF TIME TO
FILE HIS RESPONSE IN OPPOSITION TO DEFENDANTS’ MOTION TO
DISMISS PURSUANT TO FED.R. CIV. P. 12(B)(1), (5), AND (6)**

Plaintiff Jamon Hestand requests an extension of time to respond to Defendants Major Enge and Officer Neal’s Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(B)(1), (5), and (6) (Doc 12) until September 11, 2020.

Plaintiff, who suffers from several physical and mental disabilities has been the constant target of retaliation since the filing of this suit. Much of Plaintiff’s mail and evidence have been withheld to prevent him from communicating with his counsel. Plaintiff’s counsel’s office operations were shut down for an extended time due to COVID-19. Although the Federal Courts continued to operate on a limited basis. The logistics regarding communications, collecting medical information, and obtaining grievance files to amend Plaintiffs pleadings have been hampered.


20. Plaintiff has received as of the date of this filing, news that Plaintiff is further being retaliated against by the filing of Criminal charges against him for the incident of February 13, 2018; which is the basis of this suit. Plaintiff was brutally assaulted. Plaintiff filed suit alleging excessive force. Plaintiff has twice been assaulted in retaliation; and is now being criminally prosecuted for having asserted his rights in the Federal Court.

21. For these foregoing reasons, Plaintiff requests an extension until October 11, 2020 to file his Opposition to Defendants Major Enge and Officer Neal's Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(B)(1), (5), and (6). Plaintiff needs time to procure information from the unit and from the State Counsel of Offenders' office and any other law enforcement agency involved. Such information is important to the amendment of Plaintiff's [resent suit. This motion is made in good faith and in the interest of justice.

Plaintiff hereby prays that the Court grants Plaintiff Jamon Hestand September 11, 2020 to file his response in opposition to Defendants' Motion to Dismiss.

Respectfully Submitted,

THE LAW OFFICE OF TANIKA J. SOLOMON

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**ATTORNEY FOR PLAINTIFF
JAMON HESTAND**

CERTIFICATE OF CONFERENCE

As required by Fed. R. Civ. P. 26(c)(1), 37(a)(1) or the local rules, I certify that I have conferred or made a reasonable attempt to confer with all other parties or their counsel of record—who are listed below—about the relief requested in this motion with the following results:

Courtney Corbello

OFFICE OF THE ATTORNEY GENERAL

Attorney(s) for Defendants Major Enge and Officer Neal

- ☐ opposes the motion but will not file an opposition
- ☐ does not oppose the motion
- ☐ agrees with the motion
- ☐ would not say whether the motion is opposed
- ☒ did not return my message regarding the motion

August 25, 2020

Date



Tanika J. Solomon

CERTIFICATE OF SERVICE

As required by Fed. R. Civ. P. 5(a)(1), I certify that I served a copy of this document on all parties or their attorney(s) of record—who are listed below—in accordance with Fed. R. Civ. P. 5(b) as follows:

Courtney Corbello
courtney.corbello@oag.texas.gov
OFFICE OF THE ATTORNEY GENERAL
P.O. Box 12548, Capitol Station
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Attorney for Defendants Major Enge and Officer Neal

- ☐ mail
- ☐ personal delivery
- ☐ leaving it at ☐ office ☐ dwelling
- ☐ leaving it with court clerk
- ☐ electronic means
- ☐ other means
- ☒ CM/ECF system

August 25, 2020

Date



Tanika J. Solomon